

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
)	
v)	3:05-CR-234-A
)	
)	
TYRONE WHITE)	

ORDER

Following completion of the evidentiary hearing this day on Defendant's *Motion to Dismiss Indictment and For Sanctions* (Doc. 39, Nov. 16, 2005), it is **ORDERED** that:

1. Defendant shall file his post-hearing brief not later than December 28, 2005, and the United States shall file its post-hearing brief not later than January 17, 2006.
2. The parties' briefs shall address (a) the applicable "standard of review" and the "burden of proof" for Defendant's Motion to Dismiss; (b) case law authority for supporting and opposing contentions on whether the evidentiary record satisfies the burden of proof and supports any sanctions or remedies requested.
3. The Motion shall be submitted for the Magistrate Judge's Recommendation, without oral argument, after January 17, 2006.

Done this 9th day of December, 2005.

/s/ Delores R. Boyd
DELORES R. BOYD
UNITED STATES MAGISTRATE JUDGE